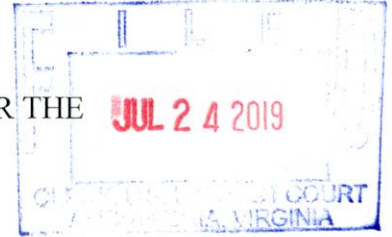


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

JOSHUA ANDREW MILIARESIS,

Defendant.

Case No. 1:19-mj-336

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Bridgit DePietto, being first duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I have been a Special Agent with the Federal Bureau of Investigation ("FBI") since February 2013. In that time, I have been a member of a transnational organized crime squad. My primary duties include the enforcement of federal laws related to crimes committed by transnational organizations and criminal street gangs. As a Special Agent, I have participated in controlled purchases of illegal narcotics, conducted visual and electronic surveillance, executed arrest, search, and seizure warrants, and interviewed many individuals involved in drug trafficking and gang activities. Through my training and experience, I am familiar with the actions, habits, traits, methods, and terminology of drug traffickers.

2. Further, through instruction, training, and participation in investigations, as well as through consultation with other agents and law enforcement personnel, I have become familiar with the manner in which narcotics traffickers conduct their illegal business and the methods used to disguise their narcotics activities. From experience and training, I have also learned that

narcotics traffickers frequently use cellular telephone applications and other communications technology to communicate, conduct, and conceal their illegal activities from law enforcement.

3. The facts set forth in this affidavit are based on the following: my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my review of records related to this investigation; communications with others who have knowledge of the events and circumstances described herein; and, information gained through my training and experience. This affidavit contains information necessary to support probable cause. The information contained in this affidavit is not intended to include each and every fact and matter observed by me or known to the government.

4. This affidavit is being submitted in support of a criminal complaint charging JOSHUA ANDREW MILIARESIS ("MILIARESIS") with conspiracy to distribute and possess with the intent to distribute 1,000 or more marijuana plants, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

5. For the persons identified below as cooperating witnesses (CWs), I refer to all of them as males irrespective of their actual gender. Further, as I explain below, law enforcement sought and obtained a search warrant in the Eastern District of California to search seven land parcels and a retail shop. The affidavit in support of that search warrant used information from countless CWs. This affidavit maintains the numbering used in the affidavit in support of the search of the land parcels; though, it does not include information from all of the CWs. Therefore, the CW numbers are not sequential in this affidavit. I have also used the true names of the targets and subjects of this investigation when summarizing the information obtained from

CWs in this affidavit, even though in many instances the CWs routinely referred to many of these individuals by their nicknames.

Probable Cause

A. Background on the Investigation of the Reccless Tigers

6. The FBI and a number of other federal law enforcement agencies, together with the Fairfax County Police Department (“FCPD”) and other state and local law enforcement agencies in Virginia, have been investigating narcotics trafficking and other criminal activity by members of a criminal street gang called the Reccless Tigers and by persons associated with this gang. This criminal activity has occurred primarily in the Prince William County, Fairfax County, and Loudoun County areas of Northern Virginia, in the Eastern District of Virginia, and in Washington, D.C., and Maryland.

7. The Reccless Tigers developed locally from a number of predominately Asian gangs operating in Northern Virginia as well as from its association with a Los Angeles, California, street gang known as the Asian Boyz.¹ Through interviews with witnesses and victims, the use of confidential sources, law enforcement actions (such as controlled purchases of narcotics), and the examination of telephone records (including GPS data), social media accounts, financial data, and other information, I and other law enforcement officers have been able to identify over 100 members or associates of the Reccless Tigers. We have also been able to link the Reccless Tigers to the commission of numerous federal and state crimes in Northern Virginia, Richmond, Virginia, and the greater Washington, D.C. area, including drug trafficking, fire bombings, suspected homicides, malicious woundings, stabbings, robberies, burglaries,

¹ When I refer to the Reccless Tigers in this affidavit, I include within that designation predecessor and affiliate gangs such as the Asian Boyz (a/k/a ABZ), Young Korean Loks (a/k/a YKS), Korean Dragon Crew (a/k/a KDC), Sons of Gong (a/k/a SOG), Club Tiger, Tiger Side, and Lady Tigers (a/k/a Lady Ts).

shootings, firearms possession and trafficking, witness intimidation and tampering, obstruction of justice, and money laundering.

8. As a result of the abduction and suspected murder of a male individual in Fairfax County by members of the Reccless Tigers, beginning on February 15, 2019, federal drug, gun, and related charges were brought against a number of known members and associates of the Reccless Tigers in the Eastern District of Virginia. Thus far, 16 defendants have been charged in the Eastern District of Virginia by indictment and/or criminal complaint, including Spencer Pak, Richard Pak, Ha Lim Chung, Grace Catherine Reilly, Brandon Sobotta, Peter Le, Dane Nicholas Hughes, Angel Hoang Le, Joseph Duk-Hyun Lamborn, Bradley Sullivan, Zu Hun Chang, Sascha Amadeus Carlisle, Tasneef Ahmed Chowdhury and others. Both Sobotta and Chang recently pleaded guilty to controlled substance offenses. All of the charged defendants in these cases are members of, or otherwise associated with, the Reccless Tigers.

9. The primary source of revenue for the Reccless Tigers is drug distribution. Members and associates of the Reccless Tigers distribute cocaine, MDMA (ecstasy), LSD, prescription drugs (primarily Xanax), marijuana, vape pens, THC oils and wax, and THC edibles.² Marijuana and THC products appear to be the most profitable drug trafficking activity

² Marijuana is consumed in many different ways. Although smoking raw plant material is the most common form of consumption, many users consume THC (the primary psychoactive ingredient of marijuana) through a wide variety of alternative products extracted from the marijuana plant. These products (distillates and oils), contain highly concentrated amounts of THC. Compared to marijuana in raw plant form, these concentrated distillates and oils offer a more potent high, quicker onset of action, and a wider range of consumption methods.

Vape pens are a type of vaporizer designed specifically to vaporize marijuana distillates and oils. They are called pens because the design of the vape device closely resembles that of a traditional pen. A vape pen consists of two pieces: a battery and a cartridge. Vape cartridges contain a mouthpiece, chamber and heating element, which is activated upon contact with a vape battery. The chamber of a vape cartridge is filled with some type of THC oil or distillate. Vape pens are drug paraphernalia, that is, devices for use in compounding, converting, concealing, producing, processing, preparing, ingesting, inhaling, or otherwise introducing into the human body unlawful controlled substances, including THC and marijuana and products derived from marijuana, and the use of the mails or other facilities of interstate commerce to sell or transport vape pens violates Title 21, United States Code, Section 863. Violations of Section 863 of Title 21 are alleged to be an object of the conspiracy charges in Nos. 1:19-cr-57

for the Reccless Tigers. For example, financial records for one suspected member of the Reccless Tigers show proceeds from his suspected marijuana sales in excess of \$1.5 million over a period of two years. A cooperating witness (CW7) stated that he had distributed over \$400,000 worth of marijuana obtained from the Reccless Tigers in about three years.

10. The Reccless Tigers and their associates operate websites and social media platforms that openly promote and advertise the sale of marijuana and related products. For example, the FBI has identified an Instagram account named Clubtiger.hustle as belonging to Peter Le. In the summer of 2018, FBI agents saw photographs and videos of marijuana and cash on that Instagram account along with clothing and other Reccless Tigers merchandise. The Peter Le account also included links to other Reccless Tigers Instagram accounts, and, on those other accounts, there were photographs of marijuana and offers of free marijuana. The Reccless Tigers also use distinctive labels and logos on their products (*e.g.*, Club Tiger, The High Club, Concrete Jungle, and Jungle Juice). The Reccless Tiger t-shirts I have seen and seized say “coast to coast tiger gang we \$tay connected” and “tigers don’t lose sleep over opinions of sheep.”

11. The Reccless Tigers have specifically targeted local middle and high school students, some as young as age 14, as customers, potential retail distributors of their products, and gang members. At some Northern Virginia public schools, many students are familiar with the Reccless Tigers and know that its members sell marijuana and other drugs.

12. One way the Reccless Tigers have aggressively marketed their products is by giving a dealer more marijuana and marijuana products than the dealer wants. For example, a

(LO) and 1:19-cr-112 (LO).

Edibles are another common consumption method. Edibles are food products containing raw marijuana or concentrated THC oils or distillates. Popular forms of edibles include drinks, baked goods, and candies.

high school dealer may ask for an ounce or two of marijuana, but Peter Le instead would give him a half-pound or pound of marijuana to sell, telling him “you can pay me later.” The dealer then would become indebted to the gang for significantly more money than he had been making and would be forced to sell more of the gang’s products to pay off what he owes. If the dealer fails to pay – a frequent occurrence – the gang may try to collect the debt by having the dealer perform “favors” for the gang, such as receive shipments of marijuana at the dealer’s home address, pick up and deliver boxes of marijuana for the gang at their stash locations, or drive gang members as they meet with customers to deliver marijuana or pick up money. If the debt is significant, the gang may ask the dealer to pay it off by working at the gang’s marijuana “farm” in California.

13. The Reccless Tigers also have developed contacts at a number of Virginia colleges and universities for selling marijuana and other drugs. For example, Dane Hughes, in September 2018, shortly after turning 18 years old, rented an apartment adjacent to Virginia Commonwealth University in Richmond, Virginia, to sell marijuana, vape pens, THC wax, and edibles to VCU students. I and other agents interviewed over 30 members of one VCU fraternity. They admitted to having obtained drugs supplied by Dane Hughes, who was a regular guest at their fraternity parties, from September 2018 through mid-February 2019. The Reccless Tigers also have marketed their products through pop-up dispensaries in Washington, D.C. Although the possession of marijuana in small quantities is legal in Washington, D.C., as is the sale of medical marijuana, the Reccless Tigers sell marijuana in Washington, D.C., in transactions and quantities that are not legal.³ The gang also has hosted extravagant week-end

³ Washington, D.C., marijuana laws allow for a person 21 or older to possess up to two ounces of marijuana for personal use, to cultivate up to six plants within the person’s private residence, and to transfer, without payment, up to one ounce of marijuana to another person 21 or older. A common practice in Washington, D.C., is for a user to

parties at rental homes with free drugs and alcohol, and the gang has become a notable presence in the Asian community at clubs, restaurants, concerts, and festivals in Annandale and Centreville, Virginia.

14. The Reccless Tigers maintained stash houses to distribute drugs locally to its many distributors. These stash houses included apartments rented in Northern Virginia and short-term rental properties obtained through Airbnb in Virginia, Maryland, and Washington, D.C. The stash houses were used to receive and store large shipments of marijuana, which were then broken down into smaller amounts, typically pound, half-pound, and quarter pound packages and picked up by, or delivered to, customers. Money was dropped off at these locations as well. Some of the gang members used their homes as stash locations (*e.g.*, Richard and Spencer Pak). Dane Hughes, beginning when he was 17 years old, paid the father of one of his marijuana customers \$25,000 in cash over seven months in 2018 to store marijuana in the basement of the father's house.⁴ I and other agents recently interviewed an associate of the gang who plead guilty to a local drug charge related to this investigation and has agreed to cooperate. He said that he worked for the gang for about three months, from late November 2018 until February 2019. He referred to himself as the "delivery guy." He was hired by Peter Le to pick-up and deliver money. While doing this, he frequently came into contact with Dane Hughes and Sascha Carlisle at the gang's apartments and Airbnb rental houses in Maryland. At those locations, he saw numerous boxes of marijuana, cash, THC cartridges, vape pens, THC oil and

buy another item, good, or service and receive a free marijuana product gifted or donated by the vendor instead of being sold. Marijuana users in D.C. often seek out "pop-up" events advertised by vendors on social media platforms like Instagram to obtain marijuana and cannabis products. Washington, D.C., does allow for the sale of medical marijuana to D.C. residents through dispensaries, but there are no recreational marijuana shops. In other words, the sale of any amount of recreational marijuana remains unlawful in Washington, D.C.

⁴ The father has been cooperative and provided investigators with a spread sheet on which he kept a contemporaneous record of every payment the father received from Hughes.

cash. At times, he saw Peter Le and Dane Hughes counting money and marijuana at these locations, which was typically packaged in vacuum sealed one-pound bags. He estimated that each of the boxes contained about 20 to 30 pounds of marijuana. At Peter Le's apartment in Dunn Loring, Virginia, he saw about \$20,000 to \$30,000 in cash on the kitchen table. I and other agents have obtained lease records confirming that Angel Le rented the Virginia apartments and records indicating that Dane Hughes had an Airbnb account for the gang's rental properties.

B. Violent Crimes Committed by the Reccless Tigers

15. Over the past four years, I and other investigators have identified numerous acts of violence associated with the Reccless Tigers. The gang has adopted many traditional gang customs and rules. Gang members go through an initiation process and are "jumped in" when they are invited to join the gang. This involves being beaten by a number of other gang members. I have viewed videos of gang members being jumped in. Gang members are expected to participate when something "goes down." If the gang gets into a fight with a rival gang or drug crew, gang members are expected to participate in the fight on behalf of the gang. If a gang member does not participate, then the member will be "checked" (beaten up) later. Gang members are also expected to go on "missions," such as retaliatory assaults and fire bombings.

16. The Reccless Tigers have used various acts of violence to seek retribution against anyone for disrespecting other gang members (including cooperation with authorities), stealing from the gang, or incurring debts to higher level gang members (typically drug debts). These acts of violence include burglary or vandalism of property belonging to the offending member, gang associate, or family member; an assault of the offending member; and attempts to burn down the home and/or vehicle of the offending gang member or associate. On April 24, 2016, at

a week-end party hosted by the Reccless Tigers, a victim was beaten and stabbed by several gang members for some act of disrespect toward the gang. The victim died several hours later. No one has been charged in his killing. In addition, over the course of this investigation, I have identified 12 fire bombings of personal residences. In almost every one of these fire-bombing incidents, the intended victim owed the gang money for drugs. No one has been charged in any of these attacks.

C. The Reccless Tigers' Marijuana Grow Activities at the "Farm" in California

17. I have interviewed numerous members and associates of the Reccless Tigers. Many of the subjects of these interviews are aware that the Reccless Tigers have received multi-pound shipments of marijuana in boxes through postal services. The boxes contained various amounts of marijuana, typically from ten to 50 pounds, sometimes more, in individually wrapped one-pound amounts. The boxes they have seen did not have labels identifying the shipper or the shipper's location, but many of the persons interviewed believe the boxes were shipped from the gang's "farm" in California.

18. During these interviews, numerous members and associates of the Reccless Tigers informed law enforcement that the gang receives its marijuana from a "farm" operating in Northern California. Through further investigation, law enforcement identified the farm's specific location, which is in Hayfork, California, in the Eastern District of California. On July 18, 2019, law enforcement sought and obtained a search warrant for seven land parcels and a retail store, which is owned by JOSHUA MILIARESIS, in the Eastern District of California from United States Magistrate Judge Carolyn K. Delaney. Law enforcement executed this search warrant on July 24, 2019. The affidavit in support of the search warrant is approximately

77 pages and details extensive facts that support that the Reccless Tigers have used the farm since in around 2014 to the present to grow at least 1,000 marijuana plants or more.

19. CW12 has been charged in this case and is cooperating with the government pursuant to a proffer letter. I have interviewed CW12 on several occasions. I believe the information provided by CW12, summarized below, is credible and has been corroborated by information obtained from other sources.

20. CW12 was a close associate of Peter Le. CW12 has known Peter Le for about three years. Through Peter Le, CW12 has met numerous members of the Reccless Tigers, has become familiar with the structure of the gang and its affiliation with the Asian Boyz in California. CW12 has traveled to California with Peter Le, where CW12 has had contact with members of the Asian Boyz, including its leaders and, specifically, Peter Le's older brother ("T.L."). CW12 stated that T.L. was the original leader of the Reccless Tigers in Northern Virginia. CW12 stated that T.L. moved to California in 2016.

21. CW12 is familiar with the gang's drug trafficking activities, and CW12 has been present when large quantities of marijuana were received, broken down into smaller amounts for local distribution, and distributed. CW12 has been present when large amounts of cash have been transferred and has accepted and counted cash for Peter Le for drug sales. According to CW12, Peter Le had about 50 people who picked up marijuana from him.

22. CW12 stated that the Reccless Tigers transported drugs from California to Virginia, and money from Virginia to California. CW12 said that the Reccless Tigers had a marijuana farm in California. CW12 stated that T.L. owns the farm but not under his name. CW12 stated that the farm was in the mountains in northern California and was about a ten-hour drive from Los Angeles. CW12 stated that the marijuana harvested at the farm is shipped to

Peter Le's father's house in Los Angeles, where it is then shipped to Virginia. Peter Le used a lot of different people and places to receive these boxes. Once they arrived, Peter Le often used Dane Hughes and Sascha Carlisle to pick up the boxes and deliver them to the gang's stash locations. CW12 stated that the boxes would typically contain about 30 pounds of marijuana and other products.

23. CW12 said that T.L. tasked Peter Le with getting people to work on the farm. T.L. offered gang members \$3,000 a month, depending on how much the person trimmed, to work on the farm. T.L. told his brother, Peter Le, to advertise the work on the farm on Snapchat. Peter Le received a commission for every person he sent to the farm. The money Peter Le made was taken off of his debt he owed to the gang for marijuana.

24. CW3 has been cooperative with the FBI and interviewed on three occasions. He has not been charged. At first, CW3 significantly minimized his role in distributing marijuana obtained from the Reccless Tigers and portrayed himself more as a user rather than a seller of marijuana. In the second interview, although CW3 acknowledged that he sold substantial amounts of marijuana, CW3 continued to downplay his relationship with Peter Le. When confronted with contrary information, CW3 acknowledged having sold marijuana obtained from the Reccless Tigers in high school and subsequently in college and that he had regularly obtained marijuana from Peter Le. I believe the information CW3 has since provided, summarized below, is credible and has been corroborated by information obtained from other sources.

25. CW3 knows that Peter Le is a member of the Reccless Tigers and has been a member of the gang dating back to when they first met in high school in about 2015. While in high school, CW3 obtained ounce quantities of marijuana from Peter Le, which he distributed to other high school students. CW3 also socialized with Peter Le and was introduced to other

members of the gang. CW3 was arrested in 2016 for possession with intent to distribute marijuana, and he stopped dealing for about a year. In 2017, he resumed selling marijuana in college. He began purchasing pound quantities of marijuana from Peter Le, which were delivered to him by Dane Hughes. CW3 continued to obtain marijuana from Peter Le and Dane Hughes until February 2019. Through Peter Le, CW3 knew that the Reccless Tigers were affiliated with the Asian Boyz in California and that T.L. was a leader in that gang. CW3 also knew that the Reccless Tigers obtained marijuana from California, and he has seen boxes containing multi-pound quantities of marijuana shipped to various addresses for Peter Le. CW3 stated that the marijuana came from a farm the Reccless Tigers operated, and CW3 identified several Reccless Tigers whom he said had worked on the farm, including Sascha Carlisle and CW15. CW3 knew CW15, and CW15 told CW3 that he had worked on the farm.

26. CW7 was arrested by FCPD in February 2018 in possession of over five pounds of marijuana, over 1000 vape cartridges, and THX wax, all of which had been fronted to CW7 by Peter Le. CW7 agreed to work with a FCPD narcotics detective in exchange for leniency his local charges. CW7, however, also continued to obtain marijuana and other products from Peter Le after his Fairfax County arrest. CW7 is cooperating with federal authorities pursuant to a proffer agreement. I believe the information provided by CW7, summarized below, is credible and corroborated by information obtained from other sources.

27. CW7 first met Peter Le in approximately 2016. CW7 had been obtaining marijuana, vape pens, and edibles from CW15, and learned from him that he was getting his drugs from Peter Le. In 2016, CW7 began getting marijuana, vape pens, and edibles directly from Peter Le. CW7 was aware that Peter Le was a Reccless Tigers gang member. CW7 obtained pound quantities of marijuana from Peter Le at least once a week, sometimes more

frequently, for about two years. CW7 also obtained vape pens, THC oil, and edibles from Peter Le. Peter Le often gave CW7 more marijuana than he wanted in a way that CW7 felt he could not refuse. Through Peter Le, CW7 met other members and associates of the Reccless Tigers, including Angel Le, Dane Hughes, Sascha Carlisle, and Joseph Duk-Hyun Lamborn. CW7 knew that the Reccless Tigers were closely associated with the Asian Boyz from California.

28. CW7 knew that Peter Le and the Reccless Tigers maintained locations where they stored large quantities of marijuana and other products. CW7 stated that some of these were Airbnb rentals, and Peter Le asked him if he would open an Airbnb account, but CW7 declined. CW7 said that Peter Le received boxes of marijuana and other drugs from California, sometimes multiple times in a day. CW7 knew that Sascha Carlisle drove for Peter Le, picking up and dropping off marijuana and money.

29. CW7 owed Peter Le money for the marijuana seized by police when CW7 was arrested. Peter Le suggested that CW7 go work on the gang's California marijuana farm as a way of paying off his debt. CW7 declined.

30. CW14 has not been charged in this or any related case and has no agreement with the government. I believe the information CW14 has provided is credible, and, to the extent possible, I have corroborated the information he provided through other sources. CW14 was a member of the Reccless Tigers who had been to the farm in 2017. CW14 became familiar with the Reccless Tigers and, specifically, Peter Le, while in high school in Northern Virginia. During the summer of 2017, CW14 was purchasing Xanax from Peter Le for his own use. CW14 had friends who were getting marijuana and other drugs from Peter Le. CW14 was using marijuana at the time, and he was selling small quantities of marijuana obtained from another

source to pay for what he was using. Peter Le and Dane Hughes approached him about selling marijuana for him.

31. CW14 had seen Peter Le with boxes of marijuana and other products that had been shipped from California. CW14 learned that the Reccless Tigers had a marijuana farm in California and that gang members could work on the farm to make money. Peter Le told CW14 that he had been to the farm. Other gang members went to the farm to pay off their "tabs," while others went to hide from law enforcement or just get away. CW14 wanted to go to the farm to get away and make some money, but he had to become a member of the gang first. CW14 was jumped into the gang in his backyard by Peter Le, Dane Hughes, and two other gang members.

32. CW14 told law enforcement that in October 2017, Peter Le offered and arranged for him to work on the farm in California. Two members of the gang picked up CW14 and drove him to the farm. According to CW14, there were approximately 20 workers and 30 trimmers along with some bosses on the marijuana farm. CW14 started working right away when they arrived at the farm. CW14 and the other workers harvested the outdoor plants. They also cut the marijuana plants inside the greenhouses, separated the leaves and buds from the stems, and dried marijuana. The dried marijuana was trimmed, screened, put in bags, labeled, and weighed. CW14 said that THC oil and wax was extracted at the farm using butane.

33. Peter Le told CW14 that CW14 would make \$1,000 a week working on the farm. However, when CW14 arrived on the marijuana farm, he realized that the working conditions were horrible and he was basically working for free. CW14 also said that he could not leave and he was afraid that the gang would beat him up if he tried to leave. This was consistent with what CW12 told law enforcement, which was that he heard that some of the gang

members who went to work on the farm complained of unfair wages and the inability to leave once they got there.

34. T.L. came to the farm when CW14 was there. T.L. came to check on the workers and the marijuana operation. CW14 said that the gang also owned a Vape Shop in Hayfork. The shop was run by a male, who was half African American and half Asian.

35. CW15 has been charged in this case and is cooperating with the government pursuant to a proffer agreement. I have interviewed CW15 on several occasions. I believe CW15 has been credible. To the extent possible, I have corroborated the information he has provided.

36. CW15 met Peter Le and became familiar with the Reccless Tigers in 2014-15 when he was a sophomore in high school in Northern Virginia. By early 2015, CW15 was obtaining marijuana from Peter Le and selling it to a number of customers, some of whom he obtained through Peter Le.

37. CW15 was arrested as a juvenile in 2016. Prior to his arrest, he was distributing about one-half pound of marijuana a week, which he was fronted by Peter Le. CW15 was in debt to Peter Le for drugs lost by CW15 or not paid for by CW15's customers. CW15 was in juvenile detention until December 2016, and, when he got out, he still owed Peter Le money. In 2017, CW15 started selling marijuana for Peter Le again. At this time, Dane Hughes was working closely with Peter Le, and CW15 drove Dane Hughes to drop off drugs for and pick up money from Peter Le's customers. CW15 did this to reduce his debt to Peter Le. CW15 was selling up to two pounds of marijuana a week as well, all of which he obtained from Peter Le. CW15 remained in debt to Peter Le for about \$14,000 even though he was selling more marijuana and other drugs.

38. According to CW15, after CW15 incurred a drug debt to Peter Le, Peter Le told CW15 about an opportunity to grow marijuana in California and make a \$1,000 a week. In August 2017, CW15 drove to the farm with two other gang members. Peter Le told CW15 to go to a smoke/vape shop in Hayfork when they arrived. Peter Le said that the person in the shop knows about the farm and will tell them where to go from there. They went to the shop, where they met BT, who is a member of the Asian Boyz, and another person. This shop is the retail shop owned by MILIARESIS for which law enforcement obtained a search warrant to search and is in the process of searching on July 24, 2019. CW15 and others followed BT and someone else to the farm. From the smoke shop to the marijuana farm was approximately a 20 to 25 minute drive.

39. Once at the farm, CW15 and other workers had to water the marijuana plants in the mornings. They then stripped the leaves from the plants and hung the plants to dry. CW15 also had to trim the marijuana buds. CW15 said that the farm also produced THC wax (or dabs) using butane.⁵ The wax was made from the cuttings and stems of the harvested plants. Although CW15 was promised a \$1,000 a week, he was only paid \$2,000 for 2 months of work.

40. While at the farm, CW15 also learned that the overall operation involved three separate properties when he overheard a conversation between Joshua and BT about trying to

⁵ THC wax or dabs, sometimes called weed wax, is a resin extracted from marijuana which is considerably more potent and concentrated than raw marijuana. It is usually smoked or vaporized, although it can be ingested. Some users smoke it from a bong similar to raw marijuana; some smoke it using a water pipe. The wax is often produced using butane. Butane extraction involves forcing butane through a container full of raw marijuana. The butane is a solvent and separates the essential oils from the marijuana plant. The oil held in solution along with the butane is called butane hash oil and is highly toxic. The oil is then left to dry, and the butane evaporates. The remaining substance hardens into THC wax or shatter.

expand their operation. CW15 heard people boast that the farm was a legal marijuana farm which had a license to grow 1,500 plants but that the owners kept only 1,200 marijuana plants.

41. According to CW15, the workers vacuum-sealed the marijuana into pound bags and stored it at the boss's house under the wooden panel stairs. Drivers, like Sascha Carlisle, came to the farm and transported the marijuana to either Redding, California, or Los Angeles. The marijuana was then mailed to Virginia. Several cooperating witnesses, including CW7 and CW12, reported that the marijuana distributed by the Reccless Tigers arrived in boxes in individual vacuum-sealed one-pound bags.

D. Joshua Andrew Milaresis' Activities at the Farm

42. CW15 stated that there were three owners of the farm. T.L., was a partial owner of the marijuana farm. A "fat" guy with a pony tail who had done 17 years in prison for robbery was another. CW15 said that the third owner of the farm was Joshua, whose full name is JOSHUA MILIARESIS. Joshua's brother, also worked at the farm. T.L., the fat guy with the pony tail, and MILIARESIS handled the finances for the marijuana farm.

43. CW15 further stated that as far as he could tell BT was in charge at the farm but had no ownership interest in the properties. BT was at the farm all the time and ran the day-to-day operations. T.L., MILIARESIS, and BT's boss showed up randomly to check on the status of the marijuana operation. Sometimes they showed up together, and sometimes they came alone.

44. During the course of this investigation, law enforcement confirmed that MILIARESIS, as stated above, owns the smoke/vape shop. Further, MILIARESIS is the owner of one of the land parcels currently being searched by law enforcement. MILIARESIS owns

land parcel A-1.⁶ According to the California Bureau of Cannabis Control, neither Joshua MILIAREISIS nor land parcel A-1 is licensed by the BCC to conduct commercial cannabis activity, which includes retail sales, transportation, distribution, testing, or as a microbusiness. According to the California Department of Food and Agriculture (CDFA), there is no active cultivation license for this property; there is no annual application on file with the CDFA; and the owner's temporary license for this property became inactive on April 21, 2019. CW14 and CW15 both identified a photograph of MILIAREISIS as one of the persons in charge of the overall grow operation together with T.L. and a third, unidentified individual. Recent aerial inspection on July 9-10, 2019, reveals ongoing marijuana grown operations on this property. There are three large greenhouses and one smaller greenhouse on this property. There is an outdoor grow next to the greenhouses.

E. **Law Enforcement Execution of a Court-Authorized Search Warrant on July 24, 2019 at the "Farm" located in Hayfork, California**

45. On July 24, 2019, law enforcement executed the court-authorized search warrant of the land parcels located in Hayfork, California. Law enforcement are still in the process of executing this search warrant. During the search of the land parcels, law enforcement arrested Tasneef Ahmed Chowdhury. Chowdhury is charged via criminal complaint in the Eastern District of Virginia with conspiracy to distribute at least 1,000 marijuana plants, in violation of Title 21, United States Code, Sections 841(a)(1), 846.

46. During the search of the land parcels, which is still currently underway, law enforcement also executed a probable cause arrest of MILIAREISIS. After being advised of his *Miranda* rights and waiving his rights, MILIAREISIS confirmed that he owns or manages some

⁶ This is the numbering used in the affidavit in support of the search warrant authorized by United States Magistrate Judge Carolyn K. Delaney.

of the land parcels being searched. He confirmed that the land is used to cultivate marijuana plants, and that a significant percentage of these plants belong to T.L. and are distributed by the Reccless Tigers. MILIARESIS confirmed that he has had an agreement on the cultivation and the distribution of the marijuana for the past two years. MILIARESIS was arrested on a land parcel that MILIARESIS admitted contained at least 2,000 marijuana plants. Law enforcement also located t-shirts with the Reccless Tigers logo on this land parcel. Moreover, on other adjacent properties law enforcement located more marijuana plants and other t-shirts and stickers with the Reccless Tigers logo.

CONCLUSION

47. Based upon the foregoing, I believe probable cause exists that from in and around 2017 to the present, within the Eastern District of Virginia, and elsewhere, JOSHUA ANDREW MILIARESIS, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree with others, both known and unknown, to unlawfully, knowingly, and intentionally distribute 1,000 marijuana plants or more, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.



Bridgit DePietto
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 24th day of July.

Michael S. Nachmanoff
United States Magistrate Judge

The Honorable Michael S. Nachmanoff
United States Magistrate Judge